

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Valencia Daniels, dba, The New Black Panther Party, <i>et al.</i> ,	:	
	:	Civil Action 2:08-cv-00016
Plaintiffs	:	
	:	Judge Marbley
v.	:	
	:	Magistrate Judge Abel
State of Ohio, <i>et al.</i> ,	:	
	:	
Defendants	:	
	:	

Order

Plaintiffs brought this action under 42 U.S.C. § 1983 alleging that defendants deprived them of various constitutional rights. On August 13, 2008, the Court filed an Order dismissing all claims and defendants except the claims of Cassandra Hensley and Carlton Henley-Huffman on behalf of plaintiff C, a minor child, against defendant Detective Art W. Hughes. This matter is now before the Court on plaintiffs' February 1, 2008 motion to reconsider the deficiency orders entered in *The Huntington National Bank v. Lewis, et al.*, 2:08-cv-00073 (doc. 7); their February 1, 2008 amended motion for temporary restraining order (doc. 8); and their February 1, 2008 motion to consolidate this case with 2:08-cv-00073 and *Lewis, et al. v. The Honorable Judge Michael Holbrook*, 2:08-cv-00074 (doc. 9).

All of these motions are moot. On March 3, 2008 Judge Graham remanded *The Huntington National Bank v. Lewis, et al.*, 2:08-cv-00073 to the Franklin County Common

Pleas Court. Lewis appealed, and on May 2, 2008 the United States Court of Appeals for the Sixth Circuit dismissed the appeal. On March 3, 2008, Judge Graham entered judgment dismissing 2:08-cv-00074. Lewis appealed, but on August 14, 2008 the Court of Appeals denied him leave to proceed *in forma pauperis*. As a result, the motion to reconsider the deficiency order in 2:08-cv-00073 and the motion to consolidate that case with 2:08-cv-00016 are moot. Further, the sole remaining claim in this lawsuit has no connection with the claims Lewis asserted in 2:08-cv-00073 and 2:08-cv-00074 against The Huntington National Bank. The amended motion for temporary restraining order seeks injunctive relief against The Huntington National Bank. Since all the claims asserted by plaintiffs against The Huntington National Bank have been dismissed, the motion for a temporary restraining order is moot.

Accordingly plaintiffs' February 1, 2008 motions to reconsider the deficiency orders entered in *The Huntington National Bank v. Lewis, et al.*, 2:08-cv-00073 (doc. 7), for a temporary restraining order (doc. 8), and to consolidate this case with 2:08-cv-00073 and 2:08-cv-00074 (doc. 9) are DENIED.

s/Algenon L. Marbley
Algenon L. Marbley, Judge
United States District Court